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BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

VAL T. STRATFORD
2011 E. Dan Street
Layton, UT 84040
License No. 32958

**STIPULATION
&
ORDER**

Docket No. 2004-394-PC

Enf. Case No. 1336

STIPULATION

1. Respondent, Val T. Stratford, is a licensed insurance agent in the State of Utah, holding License No. 32958.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
 - b. Respondent neither admits nor denies the Findings of Fact and Conclusions made therefrom;
 - c. Respondent stipulates to the summary entry of the Order herein which shall be

in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

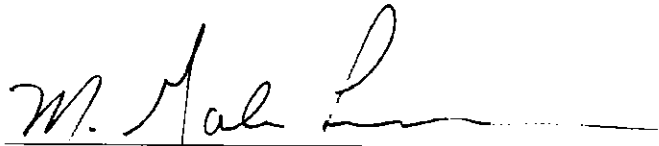
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 1st day of November, 2004.


VAL T. STRATFORD


UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On or about June 16, 2003, Respondent altered a Commercial Umbrella Policy Declaration Page, changing the name of the insured, the policy period, business description, and total premium information, creating the appearance that Reynolds Brothers, Inc. had in place a commercial umbrella policy in the amount of \$5,000,000.00, when no such policy for Reynolds Brothers, Inc. existed, and provided said Declaration Page to Reynolds Brothers, Inc.

2. When questioned by employees of the department regarding the certificate of umbrella insurance provided to Reynolds Brothers, Inc., Respondent gave inaccurate information to the department regarding the creation of that certificate.

3. During the year 2003, Respondent caused Certificates of Insurance to be prepared for FS Armitage Sons, Inc., for work being done by its employees on a single job in Nevada, showing workers compensation insurance being provided by Advantage Workers Compensation Insurance Company when the Respondent knew that the policy of insurance was provided by Workers' Compensation Fund of Utah and not Advantage Workers Compensation Insurance Company.

4. On or about January 12, 2004, Respondent caused and allowed false or misleading information to be provided to an insurer regarding the risks to be insured by that insurer for Hugoe Trucking regarding the mileage radius driven by that company's truckers and the types of goods being hauled.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters

the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In making communications containing false or misleading information relating to insurance policies, Respondent committed four violations of Utah Code Ann. § 31A-23a-402(1)(a)(i).
2. In providing inaccurate information to department employees during the investigation of this case, Respondent violated Utah Code Ann. § 31A-2-202(6).
3. Respondent's conduct demonstrates that Respondent does not currently meet the character requirements under Utah Code Ann. § 31A-23a-107(2) to hold an insurance license.
4. Respondent's insurance agent's license is subject to suspension or revocation under Utah Code Ann. §§ 31A-23a-111(4)(b)(i), (ii)(A), (xiii)(A), (xv), (xv9)(A) & (B), and (xxiv), is subject to having his license placed on probation under Utah Code Ann. § 31A-23a-112(a), and is subject to the assessment of administrative forfeitures of up to \$2,500.00 per violation of the Utah Insurance Code under Utah Code Ann. § 31A-2-308(1)(b)(i).

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent's license is suspended for a period of 12 months beginning with the date of this Order. During the term of the suspension of his license, Respondent shall not act as an insurance agent and shall not act as an officer, director, manager, agent or employee in any capacity of any entity licensed to do insurance in the State of Utah.
2. Respondent is assessed an administrative forfeiture in the amount of \$5,000.00, the

amount of \$2,500.00 of which is suspended pending the successful completion of the probation imposed herein.

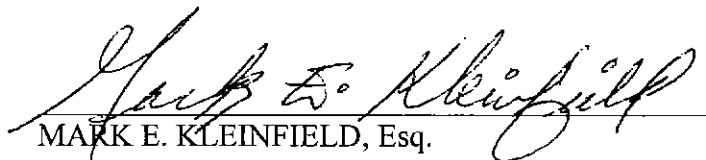
3. Respondent's license is placed on probation for a period of 24 months beginning with the termination of the suspension of his license. The terms of the probation are that the Respondent shall pay the portion of the forfeiture assessed herein that is not stayed during the period of probation at a rate of not less than \$100.00 per month, and shall pay all of the unstayed portion of the forfeiture prior to the end of the probation period and shall have no violation of the Utah Insurance Code or Rules or of any order of the commissioner.

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject him to further penalties, including additional forfeitures of up to \$2,500.00 per violation and the suspension or revocation of his license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

DATED this 3rd day of November, 2004.

MERWIN U. STEWART, Commissioner
UTAH DEPARTMENT OF INSURANCE


MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

CERTIFICATE OF MAILING

I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

**STIPULATION
&
ORDER**

To the following:

**Val T. Stratford
C/O ATP Insurance Services
190 North Main St., Ste 200
Bountiful, Utah 84010**

**Margaret H. Olson, ESQ.
Hobbs & Olson, LC
525 S. 300 E.
Salt Lake City, Utah 84111-3508**

DATED this 3rd day of November, 2004



Linda Hardy Insurance Technician
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901
(801) 538-3813